

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>ABDUR-RAHMAN KANTAMANTO,</b>	:	<b>CIVIL ACTION</b>
<b>Plaintiff,</b>	:	
	:	
<b>vs.</b>	:	<b>NO. 06-3371</b>
	:	
<b>LEON KING, Commissioner of Prisons;</b>	:	
<b>OSIE M. BUTLER, Deputy Warden; and,</b>	:	
<b>LORENZO NORTH, Union Leader,</b>	:	
<b>Defendants.</b>	:	

**ORDER**

**AND NOW**, this 2nd day of July, 2009, upon consideration of Defendants' Second Motion for Summary Judgment (Document No. 50, filed January 30, 2009); *pro se* plaintiff's Response to Defendants' Second Motion for Summary Judgment (Document No. 54, filed May 15, 2009); Defendants' Brief in Reply to Plaintiff's Brief in Opposition to the Second Motion for Summary Judgment (Document No. 55, filed June 7, 2009); and the depositions of Abdur-Rahman Kantamanto (November 21, 2008), Lorenzo North (November 21, 2008), Theodore Jackson (November 21, 2008), Barry Painter (November 24, 2008), Willette Furtick (November 25, 2008), and Osie Butler (November 25, 2008), **IT IS ORDERED** that, for the reasons stated in the Court's Memorandum of July 2, 2009, Defendants' Second Motion for Summary Judgment is **GRANTED IN PART** and **DENIED IN PART**, as follows:

1. With respect to the First Amendment (and the Pennsylvania Article I, section 7) retaliation claim against Union Leader Lorenzo North, the motion is **DENIED**;
2. With respect to the First Amendment retaliation claims against Commissioner Leon King and Deputy Warden Osie M. Butler, the motion is **GRANTED**;
3. With respect to the Fourteenth Amendment substantive and procedural due

process claims, the motion is **GRANTED**;

4. With respect to all remaining claims asserted by plaintiff, the motion is **GRANTED**.

**IT IS FURTHER ORDERED** that the Court will convene a conference by telephone to schedule further proceedings with respect to the claim as to which Defendants' Second Motion for Summary Judgment was denied—the First Amendment (and the Pennsylvania Article I, section 7) retaliation claim against Union Leader Lorenzo North.

**IT IS FURTHER ORDERED** that the caption of this matter shall be amended by deleting reference to Leon King, Commissioner of Prisons, and Osie M. Butler, Deputy Warden, as defendants.

**BY THE COURT:**

/s/ Hon. Jan E. DuBois

**JAN E. DUBOIS, J.**